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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,351	03/16/2001	Mario Cosmas Spira	P00,1820	9207

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EXAMINER

STERRETT, JONATHAN G

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,351

Applicant(s)

SPIRA ET AL.

Examiner

Jonathan G. Sterrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-35 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-5, drawn to providing three different levels of technical service plans, classified in class 705, subclass 7.
- II. Claims 6 and 11, drawn to providing a menu of different technical services, classified in class 705, subclass 26.
- III. Claims 7-9 and 33, drawn to providing a menu of maintenance services of different levels and different modules, classified in class 705, subclass 26
(Note it appears that Claim 8 should be dependent on Claim 7, rather than Claim 1, as it is written, because Claim 8 mentions "the maintenance services", of which there is no antecedent basis in Claim 1).
- IV. Claims 10 and 35, drawn to aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization, classified in class 705, subclass 7.
- V. Claim 12, drawn to providing maintenance services, classified in class 705, subclass 7.
- VI. Claim 13, drawn to a maintenance management system, classified in class 705, subclass 7.
- VII. Claims 14-17, drawn to providing integral plant maintenance, classified in class 705, subclass 8.

- VIII. Claims 18, drawn to providing a broad range of modular integrated services, classified in class 705, subclass 8.
- IX. Claims 19-21, drawn to installing software modules at a customer site, classified in class 705, subclass 1.
- X. Claims 22-28, drawn to providing maintenance and its supervision and control at local sites, classified in class 705, subclass 9.
- XI. Claims 29-32, drawn to providing maintenance tailored for an industry, classified in class 705, subclass 8.
- XII. Claim 34, drawn to providing, installing and controlling maintenance services at customer sites, classified in class 705, subclass 9.

The Inventions are distinct, each from the other because of the following reasons:

Group I to II-XII

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing a menu of various types of technical services. Further one does not need to provide a menu of different types of technical services in order to plan different levels of technical service. The subcombination has a separate utility such as providing a menu of different technical services. See MPEP § 806.05(d).

Inventions I and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing a menu of maintenance services. Further one does not need to provide a menu of maintenance services of different levels and different modules in order to plan different levels of technical service. The subcombination has a separate utility such as providing a menu of maintenance services. See MPEP § 806.05(d).

Inventions I and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization. Further one does not need to align maintenance with various elements of business strategy in order to plan different levels of technical service. The subcombination has a separate utility such as aligning maintenance with various elements of business strategy. See MPEP § 806.05(d).

Inventions I and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing maintenance services. Further one does not need to provide maintenance services in order to plan different levels of technical service. The subcombination has a separate utility such as providing maintenance services. See MPEP § 806.05(d).

Inventions I and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing a maintenance management system. Further one does not need to provide a maintenance management system in order to plan different levels of technical service. The subcombination has a separate utility such as providing a maintenance management system. See MPEP § 806.05(d).

Inventions I and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be

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conducted without providing integral plant maintenance. Further one does not need to provide integral plant maintenance in order to plan different levels of technical service. The subcombination has a separate utility such as providing integral plant maintenance. See MPEP § 806.05(d).

Inventions I and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to plan different levels of technical service. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions I and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without installing software modules at a customer site. Further one does not need to install software modules at a customer site in order to plan different levels of technical service. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions I and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to plan different levels of technical service. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions I and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to plan different levels of technical service. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions I and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are

shown to be separately usable. In the instant case, invention I has separate utility such as a method of providing different levels of a technical services plan and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to plan different levels of technical service in order to. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group II to III-XII

Inventions II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing a menu of maintenance services. Further one does not need to provide a menu of maintenance services in order to provide a menu of different technical services. The subcombination has a separate utility such as providing a menu of maintenance services. See MPEP § 806.05(d).

Inventions II and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without

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aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization. Further one does not need to align maintenance with various elements of business strategy in order to provide a menu of different technical services. The subcombination has a separate utility such as aligning maintenance with various elements of business strategy. See MPEP § 806.05(d).

Inventions II and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing maintenance services. Further one does not need to provide maintenance services in order to provide a menu of different technical services. The subcombination has a separate utility such as providing maintenance services. See MPEP § 806.05(d).

Inventions II and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing a maintenance management system. Further one does not need to provide a maintenance management system in order to provide a menu of different technical

services. The subcombination has a separate utility such as providing a maintenance management system. See MPEP § 806.05(d).

Inventions II and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing integral plant maintenance. Further one does not need to provide integral plant maintenance in order to provide a menu of different technical services. The subcombination has a separate utility such as providing integral plant maintenance. See MPEP § 806.05(d).

Inventions II and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to provide a menu of different technical services. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions II and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without installing software at a customer site. Further one does not need to install software at a customer site in order to provide a menu of different technical services. The subcombination has a separate utility such as installing software at a customer site. See MPEP § 806.05(d).

Inventions II and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to provide a menu of different technical services. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions II and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such

as providing a menu of different technical services and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide a menu of different technical services. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions II and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as providing a menu of different technical services and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide a menu of different technical services. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group III to IV-XII

Inventions III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as a menu of maintenance services of different levels and different modules and can be conducted without aligning maintenance to business objectives including rules

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for carrying out maintenance, determining strategies related to maintenance and establishing optimization. Further one does not need to align maintenance with various elements of business strategy in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate utility such as aligning maintenance with various elements of business strategy. See MPEP § 806.05(d).

Inventions III and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing maintenance services. Further one does not need to provide maintenance services in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate utility such as providing maintenance services. See MPEP § 806.05(d).

Inventions III and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing a maintenance management system. Further one does not need to provide a maintenance management system in order to provide a menu of

maintenance services of different levels and different modules. The subcombination has a separate utility such as providing a maintenance management system. See MPEP § 806.05(d).

Inventions III and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing integral plant maintenance. Further one does not need to provide integral plant maintenance in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate utility such as providing integral plant maintenance. See MPEP § 806.05(d).

Inventions III and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to provide a menu of maintenance services of different levels and different

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modules. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions III and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without installing software modules at a customer site. Further one does not need to install software modules at a customer site in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions III and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate utility such as

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providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions III and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions III and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as menu of maintenance services of different levels and different modules and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide a menu of maintenance services of different levels and different modules. The subcombination has a separate

utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group IV to V-XII

Inventions IV and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without providing maintenance services. Further one does not need to provide maintenance services in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing maintenance services. See MPEP § 806.05(d).

Inventions IV and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without providing a maintenance management system. Further one does not need to provide a maintenance management system in

order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing a maintenance management system. See MPEP § 806.05(d).

Inventions IV and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without providing integral plant maintenance. Further one does not need to provide integral plant maintenance in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing integral plant maintenance. See MPEP § 806.05(d).

Inventions IV and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing

optimization and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions IV and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without installing software modules at a customer site. Further one does not need to install software modules at a customer site in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions IV and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility

such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions IV and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions IV and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as aligning maintenance to business objectives including rules for carrying out maintenance, determining strategies related to maintenance and establishing optimization and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to align maintenance to business objectives including rules for carrying out maintenance, determine strategies related to maintenance and establish optimization. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group V to VI-XII

Inventions V and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without a maintenance management system. Further one does not need to provide a maintenance management system in order to provide maintenance services. The subcombination has a separate utility such as providing a maintenance management system. See MPEP § 806.05(d).

Inventions V and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without providing integral plant maintenance. Further one does not need to provide integral plant maintenance in order to provide maintenance services. The subcombination has a separate utility such as providing integral plant maintenance. See MPEP § 806.05(d).

Inventions V and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to provide maintenance services. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions V and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without installing software

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modules at a customer site. Further one does not need to install software modules at a customer site in order to provide maintenance services. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions V and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to provide maintenance services. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions V and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide maintenance services. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions V and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention V has separate utility such as providing maintenance services and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to providing, installing and controlling maintenance services at customer sites in order to provide maintenance services. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group VI to VII-XII

Inventions VI and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VI has separate utility such as a maintenance management system and can be conducted without providing integral plant maintenance. Further one does not need to provide integral plant maintenance in order to provide a maintenance management system. The subcombination has a separate utility such as providing integral plant maintenance. See MPEP § 806.05(d).

Inventions VI and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VI has separate utility such as a maintenance management system and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to provide a maintenance management system. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions VI and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VI has separate utility such as a maintenance management system and can be conducted without installing software modules at a customer site. Further one does not need to install software modules at a customer site in order to provide a maintenance management system. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions VI and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VI has separate utility such as a maintenance management system and can be conducted without providing

maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to provide a maintenance management system. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions VI and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VI has separate utility such as a maintenance management system and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide a maintenance management system. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions VI and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VI has separate utility such as a maintenance management system and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide a maintenance management system. The subcombination has

a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group VII to VIII-XII

Inventions VII and VIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VII has separate utility such as providing integral plant maintenance and can be conducted without providing a broad range of modular integrated services. Further one does not need to provide a broad range of modular integrated services in order to provide integral plant maintenance. The subcombination has a separate utility such as providing a broad range of modular integrated services. See MPEP § 806.05(d).

Inventions VII and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VII has separate utility such as providing integral plant maintenance and can be conducted without installing software modules at a customer site. Further one does not need to install software modules at a customer site in order to provide integral plant maintenance. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions VII and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VII has separate utility such as providing integral plant maintenance and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to provide integral plant maintenance. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions VII and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VII has separate utility such as providing integral plant maintenance and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide integral plant maintenance. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions VII and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VII has separate

utility such as providing integral plant maintenance and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide integral plant maintenance. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group VIII to IX-XII

Inventions VIII and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VIII has separate utility such as providing a broad range of modular integrated services and can be conducted without installing software modules at a customer site. Further one does not need to install software modules at a customer site in order to provide a broad range of modular integrated services. The subcombination has a separate utility such as installing software modules at a customer site. See MPEP § 806.05(d).

Inventions VIII and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VIII has separate utility such as providing a broad range of modular integrated services and can be conducted without providing maintenance and its supervision and control at local sites.

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Further one does not need to provide maintenance and its supervision and control at local sites in order to provide a broad range of modular integrated services. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions VIII and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VIII has separate utility such as providing a broad range of modular integrated services and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide a broad range of modular integrated services. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions VIII and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention VIII has separate utility such as providing a broad range of modular integrated services and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide a broad range of modular integrated

services. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group IX to X-XII

Inventions IX and X are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IX has separate utility such as installing software modules at a customer site and can be conducted without providing maintenance and its supervision and control at local sites. Further one does not need to provide maintenance and its supervision and control at local sites in order to install software modules at a customer site. The subcombination has a separate utility such as providing maintenance and its supervision and control at local sites. See MPEP § 806.05(d).

Inventions IX and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IX has separate utility such as installing software modules at a customer site and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to install software modules at a customer site. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions IX and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IX has separate utility such as installing software modules at a customer site and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to install software modules at a customer site. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group X to XI-XII

Inventions X and XI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention X has separate utility such as providing maintenance and its supervision and control at local sites and can be conducted without providing maintenance tailored for an industry. Further one does not need to provide maintenance tailored for an industry in order to provide maintenance and its supervision and control at local sites. The subcombination has a separate utility such as providing maintenance tailored for an industry. See MPEP § 806.05(d).

Inventions X and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention X has separate utility such as providing maintenance and its supervision and control at local sites and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide maintenance and its supervision and control at local sites. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

Group XI to XII

Inventions XI and XII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention XI has separate utility such as providing maintenance tailored for an industry and can be conducted without providing, installing and controlling maintenance services at customer sites. Further one does not need to provide, install and control maintenance services at customer sites in order to provide maintenance tailored for an industry. The subcombination has a separate utility such as providing, installing and controlling maintenance services at customer sites. See MPEP § 806.05(d).

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for each of the Groups I, II, III, IV, V, VI, VII, VIII, IX, X, XI and XII is not required for each of the other groups (i.e., I, II, III, IV, V, VI, VII, VIII, IX, X, XI and XII), restriction for examination purposes as indicated is proper.

A telephone call was not attempted because the requirement for restriction is deemed to be complex due to the excessive number of inventions. See MPEP § 812.01.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G Sterrett whose telephone number is (703) 305-0550. The examiner can normally be reached on 8:00AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS
2/2/2005


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